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Meeting of the Parties to the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters

Third session
Budva, Montenegro, 15 September 2017
Item 5 (d) of the provisional agenda
Programme of work and operation of the Protocol: financial arrangements

Draft decision III/3 on financial arrangements under the Protocol on Pollutant Release and Transfer Registers*

Prepared by the Bureau

Summary

The present document contains a proposed draft decision on financial arrangements under the Protocol on Pollutant Release and Transfer Registers to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

The draft decision was prepared by the Bureau on the basis of decisions I/3 and II/4 on financial arrangements adopted by the Meeting of the Parties to the Protocol at its first and second sessions (Geneva, 20–22 April 2010 and Maastricht, the Netherlands, 3-4 July 2014), and in accordance with the request of the Working Group of the Parties at its fifth meeting (Geneva, 23–24 November 2016) (ECE/MP.PRTR/WG.1/2016/2, para. 42 (d)).

* There have been no substantive changes made to the most recent version of the text, published as document ECE/MP.PRTR/WG.1/2016/9. The present document is therefore being submitted for publication without formal editing.

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The draft decision addresses general matters and also explores possible options in relation to the financial arrangements under the Protocol. The major issues for consideration by the Parties include: (a) whether the scheme of financial arrangements should be mandatory or voluntary; and (b) whether the United Nations scale of assessments should apply to contributions.

For greater clarity regarding the different options under consideration for a financial scheme, text in bold in the draft decision indicates which option or options are applicable for the suggested text. Option A relates to a financial scheme with a mandatory contribution scheme; option B is for a financial scheme with voluntary contributions.

The draft decision, which was approved by the Working Group of the Parties at its fifth meeting, is being submitted to the Meeting of the Parties at its third session for consideration and adoption.

The Meeting of the Parties to the Protocol,

Recalling article 17, paragraph 2 (h), of the Protocol on Pollutant Release and Transfer Registers (Protocol on PRTRs) to the Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), which states that the Meeting of the Parties may consider establishing financial arrangements on a consensus basis to facilitate the implementation of the Protocol,

Also recalling decisions I/3 and II/4 of the Meeting of the Parties to the Protocol, establishing an interim voluntary scheme of contributions to be sustained by contributions from Parties, Signatories and other States having opted to participate in the scheme,

Recognizing the need to:

(a) Ensure that sufficient resources are available to implement the Protocol's work programme for 2018–2021, adopted through decision III/2;

(b) Establish a scheme of financial contributions that is transparent and accessible to all Parties, Signatories and other States and organizations wishing to contribute;

(c) Establish financial arrangements under the Protocol that will ensure stable and predictable sources of funding, based on the principles of an equitable sharing of the burden, accountability and sound financial management,

Believing also that some organizations and non-State entities, such as charitable foundations, may be interested in contributing financially to the activities under the Protocol's work programme and should be encouraged to do so,

Noting with regret that most of contributions are still arriving late and that the financial burden has not been evenly distributed, with several Parties and Signatories not contributing at all,

Believing that the financial arrangements in place under the Protocol will need to be kept under periodic review by the Meeting of the Parties to ensure that they continue to meet the goals of stability, predictability and an equitable sharing of the burden,

1. **Option A for mandatory contributions:** [*Establishes* a mandatory scheme of contributions] **Option B for voluntary contributions:** [*Decides* to continue maintaining the interim voluntary scheme of contributions as reflected in decision II/4 of the Meeting of the Parties to the Protocol (see ECE/MP.PRTR/2014/4/Add.1)] aimed at covering the costs of activities under the work programme that are not covered by the United Nations regular budget, based on the following principles:

(a) The Parties shall collectively ensure that the costs of the activities of the work programme that are not covered by the United Nations regular budget are covered through the financial scheme;

Relevant for Option A only: [(b) The burden of covering the costs of the activities shall be distributed among the Parties and Signatories to the Protocol in proportion to the United Nations scale of assessments[1] with the indicative contribution of each Party for 2018 being as shown in the annex hereto;

[1] The United Nations scale of assessments is adopted by the General Assembly for a three-year period. It provides the basis for calculating the contributions of Member States to the United Nations regular budget. In December 2015, the General Assembly adopted resolution 70/245 on a scale of

(c) The scale of assessments shall be adjusted so that no Party or Signatory is required to contribute more than 22 per cent[2] of the estimated costs to be covered by the scheme;

(d) Each Party or Signatory shall contribute each year, as a minimum, the amount derived from applying the adjusted scale of assessments referred to in subparagraph xxx to the total estimated costs of the activities, but each contribution should not be less than stated in paragraph xxx;]

Relevant for both Options A and B:

[(b)] No Party or Signatory is expected to contribute less than 500 United States dollars to the Protocol's work programme for a given calendar year;

[(c)] Contributions shall be made in cash and shall not be earmarked for a particular activity;

[(d)] Additional contributions may be made in cash or in kind, and may be earmarked for a particular activity;

[(e)] Contributions in cash shall be made through the United Nations Economic Commission for Europe trust fund for local technical cooperation (Aarhus Convention/ Protocol on PRTRs project);

[(f)] Insofar as possible, and subject to the internal budgetary procedures of the Parties, contributions for a given calendar year should preferably be made by 1 October of the preceding year, so as to secure payment of staff costs for the smooth functioning of the secretariat, as a priority, and the timely and effective implementation of the priority activities of the respective programme of work;

[(g)] Parties pledge, where possible prior to the adoption of a work programme by the Meeting of the Parties, their expected annual or multi-annual financial and in-kind contributions. Signatories, other interested States and organizations may wish to indicate their expected contributions as well;

2. *Requests* Parties, to contribute each year or to make multi-annual contributions towards the costs of activities under the work programme, in accordance with the scheme referred to in paragraph 1;

3. *Invites* Signatories, other interested States and public entities, as well as the private sector, in accordance with the 2009 Revised Guidelines on Cooperation between the United Nations and the Business Sector,[3] to contribute, in cash or in kind, towards covering the costs of the work programme;

4. *Calls upon* countries with economies in transition to finance to the extent possible their own participation in the activities;

5. *Calls upon* international organizations working in countries with economies in transition to support participation of representatives of these countries and non-governmental organizations in the meetings and other activities under the Protocol;

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assessments for the apportionment of the expenses of the United Nations for the period 2016–2018. As reiterated in that resolution, the fundamental principle for calculating Member States' contributions is that "the expenses of the Organization shall be apportioned broadly according to capacity to pay".

[2] In accordance with resolution 70/245, which refers to 22 per cent for the period 2016–2018.

[3] Issued by the Secretary General in November 2009. Available from http://business.un.org/en/documents/6602.

6. *Encourages* Parties that have historically contributed generously to maintain their previous levels of contribution;

7. *Also encourages* Parties that have so far not contributed, or have contributed modestly, to increase their contributions during the current and future budget cycles so as to ensure the equitable distribution of the financial responsibility for implementation of the work programme, and requests the Bureau to liaise with such Parties where appropriate concerning the achievement of this goal;

8. *Requests* the secretariat, in accordance with the financial rules of the United Nations, to allocate in the Convention trust fund by 1 October of each year the sum required for the extension of the contracts of extrabudgetary staff of the secretariat for the upcoming year, as a priority, and also the costs needed for implementation of activities in the first quarter of the upcoming year;

9. *Also requests* the secretariat, in accordance with the financial rules of the United Nations, to monitor the expenditure of the funds and to prepare annual reports for review by the Working Group of the Parties in order to ensure that the level of contributions matches the level of funding needed for the implementation of the work programme;

10. *Requests* the Working Group of the Parties to consider, in the light of these annual reports, whether changes would be required to the content or time frame of the work programme, in the event that the level of actual and/or pledged contributions does not match the level of funding needed;

11. *Further requests* the secretariat to prepare a comprehensive financial report for each session of the Meeting of the Parties, including information on how much Parties and other participating States and organizations have contributed to the budget of the Protocol in cash and in kind, and on how the contributions were spent;

12. *Mandates* the Bureau and the Working Group of the Parties to explore in the next intersessional period options for more predictable, stable and equitably shared funding, and requests them to make the appropriate proposals for the consideration of the Meeting of the Parties at its fourth session;

13. *Requests* the United Nations Economic Commission for Europe to allocate more resources to support the work under the Convention and its Protocol, in view of the positive evaluation of the Environmental subprogramme during the review of the 2005 reform of the Commission,[4] considering, inter alia, the balance in the use of regular budgetary resources in the different subprogrammes;

14. *Agrees* to review the operation of the scheme of financial arrangements at the fourth session of the Meeting of the Parties.

[4] See the Commission's Biennial Report (1 April 2011–11 April 2013) (*Official Records of the Economic and Social Council, 20013, Supplement No. 17* (E/2013/37–E/ECE/1464), annex III, chapter II.A), available from http://www.unece.org/index.php?id=31965#/.

[Annex

Indicative contributions for 2018

Column A: *Countries (Parties and Signatories)*	*Column B:* *United Nations scale of assessment (percentage)*	*Column C:* *Adjusted United Nations scale of assessment (percentage)*[a]	*Column D:* *Amount to be contributed for 2018 (United States dollars)*[b]
Albania	0.008	0.024	
Armenia	0.006	0.018	
Austria	0.720	2.182	
Belgium	0.885	2.682	
Bosnia and Herzegovina	0.013	0.039	
Bulgaria	0.045	0.136	
Croatia	0.099	0.300	
Cyprus	0.043	0.130	
Czech Republic	0.344	1.043	
Denmark	0.584	1.770	
Estonia	0.038	0.115	
European Union[c, d]	—	—	
Finland	0.456	1.382	
France	4.859	14.728	
Georgia	0.008	0.024	
Germany	6.389	19.365	
Greece	0.471	1.428	
Hungary	0.161	0.488	
Ireland	0.335	1.015	
Israel	0.430	1.303	
Italy	3.748	11.360	
Latvia	0.050	0.152	
Lithuania	0.072	0.218	
Luxembourg	0.064	0.194	
Malta	0.016	0.048	
Montenegro	0.004	0.012	
Netherlands	1.482	4.492	
Norway	0.849	2.573	
Poland	0.841	2.549	
Portugal	0.392	1.188	
Republic of Moldova	0.004	0.012	
Romania	0.184	0.558	
Serbia	0.032	0.097	
Slovakia	0.160	0.485	
Slovenia	0.084	0.255	

Column A: *Countries (Parties and Signatories)*	*Column B:* *United Nations scale of assessment (percentage)*	*Column C:* *Adjusted United Nations scale of assessment (percentage)*[a]	*Column D:* *Amount to be contributed for 2018 (United States dollars)*[b]
Spain	2.443	7.405	
Sweden	0.956	2.898	
Switzerland	1.140	3.455	
Tajikistan	0.004	0.012	
The former Yugoslav Republic of Macedonia	0.007	0.021	
Ukraine	0.103	0.312	
United Kingdom of Great Britain and Northern Ireland	4.463	13.527	
Total	**32.992**	**100.0**	

[a] Figures in column B are based on the scale of assessments in General Assembly resolution 70/245 adopted on 23 December 2015.

[b] The percentages from the United Nations scale of assessments have been adjusted for the Protocol by using a multiplier of 3.031, in order to arrive at a total of 100 per cent.

[c] Subject to footnote d below on the contribution of the European Union, the figures in column D would be derived by multiplying the percentage value in column C by the annual estimated cost requirement of the work programme, as specified in the draft decision on the work programme 2018–2021 (ECE/MP.PRTR/2017/13). The actual amounts for the contribution of each Party and Signatory between 2018 and 2021 will be calculated in due course, subject to the consideration and approval of the draft decision on the work programme for 2018–2021.

[d] A percentage has not been assigned to the European Union, since the European Union is not included in the United Nations scale of assessments and therefore it is not possible to calculate the level of its contribution on the same basis as with the other Parties and Signatories (i.e., on the basis of the adapted United Nations scale of assessments). Pursuant to paragraph 2 of decision I/3 of the Meeting of the Parties, the European Union contribution to activities under the work programme not covered by the United Nations regular budget would account for 2.5 per cent of the total needed for core activities. This commitment is subject to the annual endorsement by the budgetary authorities of the European Union.]